

OGC SUBJECT PUBLICATIONS ✓

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<p>Remarks: Karl: I do not feel it would set any precedent which would haunt us later if we were to release these documents for publication by State's Historical Office inasmuch as there are no apparent security considerations. If in case of future requests we were to be concerned about security, particularly as to intelligence sources and methods, there is no question that we could withhold publication.</p> <p>I talked to Mr. Gleason about their general editorial policy in this regard, and he said in the first place he thinks it would be very rare for them to request intelligence material as such. <u>They do feel these two particular</u></p>			
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General Counsel		2/11/70	
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papers would be useful inasmuch as they were the basis for important policy decisions. He did tell me, however, that he did not consider them absolutely crucial. He pointed out the policy they had adopted in the past with OSS papers where they do not go into operational matters or names of persons who might have been used as OSS agents.

In sum then, I believe these two documents could be released without causing any great problem. But, if anyone felt there were policy grounds for not publishing documents of an intelligence nature or relating to intelligence functions, I do not think we would get any great fight from State's Historical Office.

5/
LRHouston

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CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP			
TO	NAME AND ADDRESS	DATE	INITIALS
1	General Counsel		
2	(Mr Houston)		
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Remarks:			
<p>Larry,</p> <p>Per our conversation a week or so ago, here is the problem of release of classified Agency documents for publication in States "Foreign Relations" series (unclassified).</p> <p>I think that the Director should be made aware of the precedent involved, and I would be grateful for your advice.</p>			
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FROM: NAME, ADDRESS AND PHONE NO.			DATE
EA/DDCI			9 Feb
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Executive Registry
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FEB 1970

MEMORANDUM FOR: General Counsel

SUBJECT: Determination of Agency Policy on
Declassification and Publication of Agency
Documents in Department of State Series

1. As you know the Department of State has a program of declassifying and publishing documents concerned with this country's international relations. These documents are published in a series entitled "Foreign Relations of the United States, Diplomatic Papers." The Department reviews documents in its possession for possible inclusion in the series when they are about 20 years old. I understand that documents for 1945 and 1946 have been published and that those for 1947 are in the mill.

2. Because CIA was created in 1947, the Agency will probably soon be confronted with a growing number of requests for permission to declassify and publish CIA documents held by the Department of State.

3. Late last year Ray Cline passed General Cushman copies of a letter from the State Department's Historical Office to the Chief Historian of the AEC requesting permission to clear several 1947 papers involving nuclear energy matters for publication in the "Foreign Relations" series. The AEC noted that two of these documents were of primary concern to CIA and suggested that State seek the Agency's consent to their publication.

4. One of the papers in question is a Top Secret "Interdepartmental Intelligence Study," dated 15 December 1947, from DCI Hillenkoetter on the "Status of Russian Atomic Energy Project." This is essentially a forerunner of an NIE on the Soviet Atomic Energy Program. The second paper is a short memorandum dated 24 July 1947 from AEC Chairman Lilienthal to the Director of the Central Intelligence Group. This memo expresses the AEC's support for the establishment of a system for long-range detection of atomic explosions.

5. Initially I requested the Director of Security to check with appropriate Agency offices and prepare an Agency position on the question of declassification and publication of the two documents. ONE, DDI, OSI, Chief, FI, and Chief, CI were consulted and they either concurred in or expressed no objections to release of the two papers.

6. This will unquestionably be the first of a growing number of requests for clearance of Agency papers, once the series begins to cover years in which there was greater Agency activity (covering problems such as the intelligence warning on the North Korean attack in 1950). I think that we should consider whether the precedent established by release of the two innocuous 1947 documents would weaken the Director's ability to maintain tight control over public access to other classified Agency documents either via the "Foreign Relations" series or under the "Freedom of Information Law." If you agree, then the matter should probably be taken up with the Director.

7. The need for a high-level policy determination is also suggested by the existence of a policy statement by the then Executive Director on 2 May 1964 in a memorandum to the Interdepartmental Committee on Internal Security. The memorandum supported "the proposal for the establishment of uniform clearance procedures for selected persons seeking access to classified U. S. Government records." It made clear, however, that "the classified data produced by this Agency for the U. S. Government and disseminated within the Government, ..., cannot be released outside those confines and this Agency has no program for such releases. As custodians, we must also impose these same limitations upon the records of our predecessor organizations (OSS, SSU and CIG), wherever such records might be held."

8. In view of the precedent involved in this case, I would be grateful if you would look into this problem and consider whether you want to recommend an Agency position for the Director's approval.



EA/DDCI

Attachments

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